

Planning Committee – 4 June 2014

Present: - Councillor Nottrodt (Chairman)
Councillor Coles (Vice-Chairman)
Councillors Mrs Allgrove, Bishop, Denington, C Hill, Mrs Hill,
Morrell, Tooze, Mrs Reed, A Wedderkopp and D Wedderkopp and
Wren

Officers: - Bryn Kitching (Development Management Lead), Gareth Clifford (Area
Co-ordinator – East), Matthew Bale (Area Co-ordinator - West),
Roy Pinney (Legal Services Manager), Maria Casey (Planning and
Litigation Solicitor) and Tracey Meadows (Corporate Support Officer)

Also present: Councillor Stone for application No E/0154/24/12. Mrs A Elder, a
Co-opted Member of the Standards Committee.

(The meeting commenced at 5.00 pm)

62. Apologies/Substitutions

Apologies : Councillors Bowrah, Gaines, Miss James and Watson

Substitutions : Councillor Denington for Councillor Bowrah
Councillor Mrs Reed for Councillor Watson

63. Declarations of Interest

Councillors Coles, A Wedderkopp and D Wedderkopp declared personal
interests as Members of Somerset County Council. Councillor Mrs Hill
declared a personal interest as an employee of Somerset County Council.
Councillor Nottrodt declared a personal interest as a Director of Southwest
One. Councillor Wren declared that he was no longer an employee of Natural
England

64. Applications for Planning Permission

The Committee received the report of the Growth and Development Manager
on applications for planning permission and it was **resolved** that they be dealt
with as follows:-

(1) That **planning permission be granted** for the under-mentioned
developments:-

49/14/0023

**Erection of replacement timber building on footprint of existing at lower
level, at Footlands Farm, Wiveliscombe**

Conditions

(a) The development hereby permitted shall be begun within three years of the date of this permission;

(b) The development hereby permitted shall be carried out in accordance with the following approved plans:-

- (A1) DrNo 1109_S_03 Floor Plans and Elevations;
- (A3) DrNo 1109_S@02 Location Plan ;
- (A4) DrNo 1109_S_01 Site Plan:

(Note to applicant: - Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning policy Framework the Council had worked in a positive and pro-active way and has granted planning permission.)

38/14/0075

Erection of two storey extension to the rear and single storey extensions to the side and front at 41 Wellington Road, Taunton (Retention of part works already undertaken)

Conditions

(a) The development hereby permitted shall be begun within three years of the date of this permission;

(b) The development hereby permitted shall be carried out in accordance with the following approved plans:-

- (A3) DrNo 17-2011-01 location & Site Plans;
- (A4) Proposed First Floor Plan;
- (A4) Proposed Side Elevation;
- (A4) Proposed Rear Elevation;
- (A4) Proposed Side Elevation;
- (A4) Proposed Ground Floor Plan;
- (A4) Proposed Front Elevation;

(Note to applicant:- Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council had worked in a positive and pro-active way and had imposed planning conditions to enable the grant of planning permission.)

30/14/0007

Erection of detached dwelling with detached garaging and associated works on land adjacent to Wayside, Howleigh Lane, Blagdon Hill

Conditions

- (a) The development hereby permitted shall be begun within three years of the date of this permission;
- (b) The development hereby permitted shall be carried out in accordance with the following approved plans:-
- (A3) DrNo 115.3.01 Rev E Location and Site Plan;
 - (A3) DrNo 115.3.03 Ground and First Floor Plan;
 - (A3) DrNo 115.3.03 Ground and First Floor Plans;
 - (A3) DrNo 115.3.04 Roof Plan, Perspective view;
 - (A3) 115.3.05 Rev A North, South and East Elevations;
 - (A3) DrNo 115.3.06 Rev A North East, South East and South West Elevations;
 - (A3)DrNo 115.3.07 Rev A West and North West Elevations Sections S-01 and S-02;
 - (A3)DrNo 115.3.08 Ground and Roof Plans NSE and W Elevations Section S-1;
 - (A4) DrNo 115.3.09 Sketch Site Section;
- (c) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by, the Local Planning Authority. Development shall be carried out and thereafter retained as such, in accordance with the approved details as above, unless otherwise agreed in writing by the Local Planning Authority;
- (d) (i) Before any part of the permitted development is commenced, a landscaping scheme, which shall include details of the species, siting and numbers to be planted, shall be submitted to, and approved in writing by, the Local Planning Authority; (ii) The scheme shall be completely carried out within the first available planting season from the date of commencement of the development, or as otherwise extended with the agreement in writing of the Local Planning Authority; (iii) For a period of five years after the completion of each landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow shall be replaced by trees or shrubs as may be approved in writing by the Local Planning Authority;
- (e) The application shall undertake all the recommendations made in Appendix 4 of Blackdown Environmental's Preliminary Ecological appraisal report dated January 2014, and provide mitigation for birds and bats as recommended. The works shall be implemented in accordance with the approved details and timing of works, unless otherwise approved in writing by the Local Planning Authority. The development shall not be occupied until the scheme for the maintenance and provision of the new bird and bat boxes and related accesses have been fully implemented. Thereafter the resting places and agreed accesses shall be permanently maintained;
- (f) The proposed access shall be constructed in accordance with details shown on the submitted plan, Drawing No. 115.3.02, and shall be

available for use before the commencement of the development hereby permitted. Once constructed the access shall be maintained thereafter in that condition at all times;

- (g) The proposed access shall incorporate pedestrian visibility splays on both its sides to the rear of the existing footway based on co-ordinates of 2 m x 2 m . Such splays shall be fully provided before the access hereby permitted is first brought onto use and shall thereafter be maintained at all times;
- (h) There shall be no obstruction to visibility greater than 900mm above adjoining road level in advance of lines drawn 2.4 m back from the carriageway edge on the centre line of the access and extending to points on the nearside carriageway edge 43 m either side of the access. Such visibility shall be fully provided before the development hereby permitted is commenced and shall thereafter be maintained at all times;
- (i) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to, and approved in writing by, the Local Planning Authority;

(Notes to applicant:- (i) Applicant was advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework the Council has worked in a positive and pro-active way with the applicant and has negotiated amendments to the application to enable the grant of planning permission; (ii) Applicant was advised that the access hereby permitted should not be brought into use until drop kerbs have been installed at the carriageway edge and a vehicle cross-over constructed across the footway fronting the site for the width of the access; (iii) Having regard to the powers of the Highway Authority under the Highways Act 1980, applicant was advised that the creation of the new access will require a Section 187 Permit. This must be obtained from the Highway Service Manager.. Application for such a permit should be made at least four weeks before access works are intended to commence; (iv) Applicant was advised that the condition relating to wildlife requires a mitigation proposal that will maintain favourable status for these species that are affected by this development proposal. Most resident nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). It should be noted that the protection afforded to species under UK and EU legislation is irrespective of the planning system and the developer should ensure that any activity they undertake on the application site (regardless of the need for planning consent) must comply with the appropriate wildlife legislation.)

65. Miscellaneous Report – E/0154/24/12 Untidy site at 12 Town Close, North Curry

At the Planning Committee meeting of 30 January 2014, Members authorised the service of a Section 215 Notice on the property 12 Town Close, North Curry (Minute No. 15/2014 refers).

The notice had subsequently been served and required the removal of all the stored and accumulated items from the land by 12 May 2014.

A site visit had been made and although some progress had been made with the clearing of the rear garden, the notice had not been fully complied with. It had also been noted that structures had been erected which fell within 'permitted development' criteria. It was considered by officers that no action could be taken against the erection of a shed that was permitted development.

As the notice had not been fully complied with regarding the clearance of the site, it was normal planning practice to consider whether to proceed to prosecution action. The owner of the site had been advised by the Council's Legal Section that if the notice was not complied with within 14 days from the date of the meeting, the Council would commence prosecution proceedings.

Resolved that the report be noted.

66. E/0040/38/14 – Unauthorised illuminated sign at 21 East Street, Taunton

Reported that unauthorised trough lighting had been installed to illuminate the fascia sign at 21 East Street, Taunton without the relevant advertisement and listed building consents.

The agent had been informed that the trough illumination to the fascia was unauthorised and that it should be removed or replaced by the approved halo illumination. To date the trough lighting was still in situ.

Resolved that:-

- (1) Subject to being satisfied with the evidence, the Solicitor to the Council be authorised to take prosecution action against the owners of the listed building known as 21 East Street, Taunton in respect of the unauthorised illumination of a fascia sign at the property;
- (2) A listed building enforcement notice be served seeking the removal of the unauthorised trough lighting to the fascia sign at 21 East Street, Taunton; and
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council be authorised to take prosecution action should the notice be not complied with.

67. E/0077/44/14 – Erection of alleged unauthorised structures on land at Beacon Lane Farm, Foxmoor Road, Wellington

Reported that planning permission had been granted in January 2012 for the change of use of land and conversion of redundant agricultural buildings to form a dog breeding enterprise with ancillary residential space at Beacon Lane Farm, Foxmoor Road, Wellington.

Although work on converting the barn to residential accommodation had been completed the outbuildings planned to be used in connection with the dog breeding business had yet to be completed. Instead, the owners had situated a number of structures on the land to house an increasing number of dogs until the dog breeding element was fully functional.

The additional land used to house the dogs had no planning permission and Members had previously authorised the serving of an Enforcement Notice to stop land being used for the stationing of timber structures to house dogs. The notice was not complied with within the time and prosecution action was commenced.

The structures were removed a day before the matter was to be heard in the Magistrates Court.

Further reported that the structures had been relocated on a small area of land to the north of the converted barn but outside of the area originally granted planning permission.

A site meeting had been arranged to inform the owner that an application should be submitted in order to seek regularisation for the structures in their current position. Although it was agreed that an application would be submitted, this had not been received to date and therefore the structures currently remained unauthorised.

Resolved that:-

- (1) An enforcement notice be served seeking the removal from the land of all buildings and structures being used in connection with the dog breeding/kennelling activity at Beacon Lane Farm, Foxmoor Road, Wellington together with the removal of associated hardcore areas serving the said structures;
- (2) Any enforcement notice served should have two months compliance period; and
- (3) Subject to being satisfied with the evidence, the Solicitor to the Council be authorised to take prosecution action should the notice not be complied with.

68. Appeals

Reported that three appeals had been received details of which were submitted.

Resolved that the report be noted.

(The meeting ended at 7.05pm)